

MINUTES OF THE ONE THOUSAND NINE HUNDRED NINETIETH**REGULAR MEETING APRIL 1, 2024**

On April 1, 2024, the above meeting was held at the City Hall, 33000 Civic Center Drive, Livonia, Michigan, and was called to order by the President of the Council at 7:00 p.m. Vice President Ptashnik led the meeting with the Pledge of Allegiance.

President McCullough indicated the meeting is not currently being shown live on cable television or streamed due to technical difficulties, but they are working on the issue.

Vice President Ptashnik presented a Commendation to the Livonia Symphony Orchestra.

Councilmember Jolly presented a Commendation to Altech Doors.

Roll was called with the following result: Martha Ptashnik, Rob Donovic, Carrie Budzinski, Scott Morgan, Jim Jolly, and Brandon McCullough. Absent: Laura Toy.

Elected and appointed officials present: Paul Bernier, City Attorney; Lori L. Miller, City Clerk; Sara Kasprowicz, Program Supervisor of Council Office; and Todd Zilincik, City Engineer.

On a motion by Councilmember Budzinski, supported by Councilmember Jolly, and unanimously adopted it was:

#118-24 RESOLVED, that the Minutes of the 1,989th Regular Meeting of the Council held March 20, 2024 are approved as presented.

During Audience Communication Christopher Martin, Michigan resident, asked that the time clock be returned to diaz so residents know how much time they can speak. He also voiced concerns about the library being

closed and them not being able to provide change other than all singles for a \$20 bill.

Edwin Koziol, 11790 Jarvis Street, spoke about a very large dog charging at him in his garage on February 1, 2024. He called Livonia Police at approximately 8:03 p.m. but they never responded to his call. He called the next day and was told the Police Department had no phone number for the dog catcher. He also called DPW the next day but couldn't speak to the dog catcher.

President McCullough announced Senator Dayna Polehanki is attending the meeting.

Dayna Polehanki, State Senator, indicated she currently represents about one third of Livonia due to redistricting. She shared the following amounts that have been secured: \$1.2 million for the Schoolcraft College Dual Enrollment Program; \$4.5 million for Project Catalyst for the Livonia Senior Center and downtown. In 2023, she had 4220 constituent responses and seven of her bills were signed into law. Livonia Public Schools saw a \$10.85 million dollar increase while Clarenceville School District had a \$2.1 million increase. The Governor's budget recommendation for 2024-25 includes a 5% ongoing statutory revenue sharing for local units of government and a 2% allocation for one-time Public Safety. In 2023 they were able to expand the earned income tax credit, repeal drug industry immunity, passed four gun safety laws, criminalize election intimidation, approve universal free school meals, implement election reforms, and rolled back the retirement tax on seniors.

Vice President Ptashnik said the meals the students are getting in schools are nutritious.

Councilmember Morgan congratulated Gerald Evans on his retirement and thanked him for his service.

Vice President Ptashnik announced the upcoming Different Abilities Fair at the Library Atrium on April 13, 2024.

Councilmember Budzinski said her next coffee hour will be held on 4/13/2024 with a guest speaker from GFL and Jim Baringhaus of the Greenleaf Committee. Wayne County Community College is hosting a Household Hazardous Waste Day on April 6, 2024. She also shared the Library Commission sets library hours in the fall and invited Christopher Martin to attend.

Councilmember Donovic shared that May 29th is Vietnam Veterans Memorial Day. He also indicated Leo Soave Building worked with owner of the old vacant home on Seven Mile Road to purchase and demolish it. He thanked Jerome Hanna, Leo Soave and Hard Rock Concrete for the efforts to get that home demolished.

President Mccullough announced the meeting is now live on cable and You Tube. He shared that he had the pleasure to speak about Youper Lights and Leeland Blue Rocks at Michigan Treasure Hunters Group last week. f He announced the upcoming Committee of the Whole meeting to be held on April 10, 2024, regarding the Sheldon library and chickens.

On a motion by Vice President Ptashnik, supported by Councilmember Budzinski, it was:

#119-24 RESOLVED, that having considered a communication from Rev. Dr. Rodrigue Constantin, Saint Rafka Maronite Catholic Church, dated February 27, 2024, which requests permission to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances, as amended, in order to hold a cultural festival with music played by a DJ and live bands at Saint Rafka Maronite Catholic Church located at 32765 Lyndon Street on Friday, August 9, 2024, from 5:00 p.m. to midnight, Saturday, August 10, 2024, from 1:00 p.m. to midnight, and Sunday, August 11, 2024, from 1:00 p.m. to 9:00 p.m., the Council does hereby determine to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances from 5:00 p.m. to midnight on Friday, August 10, 2024, 1:00 p.m. to midnight on Saturday, August 10, 2024, and from 1:00 p.m. to 9:00 p.m. on Sunday, August 11, 2024, in connection with this event.

#120-24 RESOLVED, that having considered a communication from the Director of Public Works, dated February 27, 2024, submitted pursuant to Council Resolution 136-23, adopted on May 8, 2023, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby accept the bid of Etna Supply Company, 529 32nd Street SE, Grand Rapids, Mi 49548, for supplying the Public Works Division with water meters and supplies based upon the unit prices set forth in the attachment to said communication, for the period April 1, 2024 through December 31, 2025, at a total cost not to exceed \$1,500,000.00 annually; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$1,500,000.00 from funds already budgeted in Account No.: 592-559-787-040 of the Water and Sewer Budget for this purpose; FURTHER, the Council does hereby determine to authorize the purchase of said items without competitive bidding inasmuch as Etna Supply Company is the sole source provider of Sensus Meters for the State of Michigan and no advantage to the City would result from competitive bidding, and such action is taken in accordance

with the provisions set forth in Section 3.04.140.E.3 of the Livonia Code of Ordinances, as amended.

#121-24 RESOLVED, that having considered the report and recommendation of the Director of Public Works, dated February 27, 2024, which bears the signature of the Director of Finance and is approved for submission by the Mayor, the Council does hereby authorize the purchase of two (2) 2024 Ford F150 Super Cab XL pickup trucks (ID# 303 and 304), at a cost of \$42,993.00 each, and two (2) 2024 Ford F250 Super Cab pickup trucks (ID# 326 and 327), at a cost of \$50,738.00 each, for a total amount not to exceed \$187,462.00, from Lunghamer Ford (formerly Signature Ford), 1960 E. Main St., Owosso, Michigan 48867, for use by the Water Department and to replace comparable units that have exceeded their life expectancy, the same to be expended from funds budgeted in Account No: 592-559-148-000 (Water and Sewer) for this purpose; FURTHER, the Council does hereby determine to authorize the said purchase without competitive bidding inasmuch as the same is based upon the State of Michigan bid price under Contract No. #071B7700180 and Macomb County Contract Bid #21-18 and such action is taken in accordance with the provisions set forth in Section 3.04.140.E.4 of the Livonia Code of Ordinances, as amended; FURTHER, the Council does hereby authorize the disposal of the replaced vehicles at public auction hosted by the Michigan Inter-governmental Trade Network (MITN) or commercial auction after receipt of the new vehicles.

#122-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 12, 2024, submitted pursuant to Council Resolution No. 336-21, adopted on November 22, 2021, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, to which is attached a proposed amendment to the Engineering contract between the City of Livonia and OHM Advisors, 34000 Plymouth Road, Livonia, Michigan 48150 for the 2024 Asphalt Road Program (Contract 24-A), the Council does hereby authorize the Mayor and City Clerk, for and on behalf of the City of Livonia, to execute the attached contract amendment between the City of Livonia and OHM Advisors, 34000 Plymouth Road, Livonia, Michigan 48150, to provide construction engineering services for the 2024 Asphalt Road Program (Contract 24-A) in an amount not to exceed \$508,703.00, said amount being based on the preliminary cost estimates and subject to adjustment based on the actual bids;

FURTHER, the aforesaid proposal is accepted without competitive bidding pursuant to Livonia Code of Ordinances Section 3.04.140.E.2.b; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$508,703.00 from funds budgeted in Account No. 204-447-818-102 (Road, Sidewalk and Tree Fund) for this purpose, and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties.

A roll call vote was taken on the foregoing resolutions with the following result:

AYES: Ptashnik, Donovic, Budzinski, Morgan, Jolly, and McCullough

NAYS: None

President Jolly recused himself at 7:35 p.m. to avoid a potential conflict of interest.

On a motion by Councilmember Morgan, supported by Councilmember Donovic and unanimously adopted, it was:

#123-24 RESOLVED, that having considered a communication from Wafi Barshini and Nesrin Barshini, Festival Chairpersons, The Basilica of St. Mary Antiochian Orthodox Church, regarding the St. Mary's Dormition Annual Festival scheduled for Friday, August 16, 2024 through Sunday, August 18, 2024, to include setup and soft opening celebration of the Dormition on Thursday, August 15, 2024 and take down on Monday, August 19, 2024, and an email communication from Caitlin Bialowicz, Brookwood Estates Subdivision, Livonia, MI, dated May 18, 2024, the Council does hereby determine to waive Section 8.32.070 (Noise Control) of the Livonia Code of Ordinances between the hours of 5:00 p.m. to 11:00 p.m. on Friday, 12:00 p.m. to 11:59 p.m. on Saturday, and 12:00 p.m. to 10:00 p.m. on Sunday, in connection with this event to be held Friday, August 16, 2024 through Sunday, August 18, 2024, in the rear parking lot of the Basilica of St. Mary Antiochian Orthodox Church located at 18100 Merriman Road, subject to the following qualifications: noise decibels measured at church property lines shall not exceed 60 decibels when the event ends and 70 decibels during the days and hours of the festival as set forth above; further, provided that the appropriate level of amplified music will be controlled by a church-appointed sound engineer who will have

total control of the sound system at all times and that the speakers inside the tent will be pointed north (toward the church) and away from neighboring houses in connection with this event.

Christopher Martin, Michigan resident, shared his opinion regarding security at the festival.

Wafi Barshini said they will have Livonia Police present this year.

Jim Jolly resumed his chair at 7:40 p.m.

Councilmember Budzinski recused herself at 7:40 p.m. to avoid a potential conflict of interest.

On a motion by Councilmember Jolly, supported by Councilmember Morgan and unanimously adopted, it was:

#124-24 RESOLVED, that having considered an application from Stefanie Parker and Claire Sheldon, Akanebashi Foundation, 18924 Mayfield St., Livonia, MI 48152, dated March 2, 2024, the Council does hereby take this means to indicate that the Akanebashi Foundation is recognized as a non-profit organization operating in the community, and the action herein being taken for the purpose of affording the Akanebashi Foundation the opportunity to qualify for a charitable gaming license or registration from the State of Michigan in accordance with provisions of State statute.

Councilmember Budzinski resumed her chair at 7:41 p.m.

On a motion by Councilmember Jolly, supported by Vice President Ptashnik, it was:

#125-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 12, 2024, approved for submission by the Mayor, to which is attached a communication from Chuck McHenry, 4 Clover Realty, LLC, dated March 7, 2024, requesting a waiver of the sidewalk requirement in front of the four (4) homes to be constructed at 15235, 15251, 15273 and 15287 Fairlane Avenue, in the NW ¼ of Section 21, the Council does hereby deny this request inasmuch as there is an existing sidewalk along the west side of Fairlane Avenue that extends north from Lyndon Avenue along the front of six (6) homes, as well as sidewalk along Five Mile Road that will connect to this development of four (4) homes, so that granting this request would

be detrimental to the best interests of the City's residents and its efforts toward connectivity going forward.

On a motion by Councilmember Jolly, supported by Councilmember Budzinski and unanimously adopted, it was:

#126-24 RESOLVED, that having considered the report and recommendation of the City Engineer, dated March 12, 2024, which bears the signatures of the Director of Public Works, the Director of Finance and the City Attorney, and is approved for submission by the Mayor, and to which is attached a communication Contractor Recommendation from OHM Advisors, 34000 Plymouth Road, Livonia, MI 48150, dated March 11, 2024, in connection with the 2024 Asphalt Road Paving Program (Contract 24-A), the Council does hereby accept the unit price bid of Nagle Paving Company, 36780 Amrhein, Livonia, Michigan 48150, for performing all work required in connection with the 2024 Asphalt Road Paving Program (Contract 24-A) on various asphalt streets throughout the City of Livonia, by extending their Contract 23-A bid unit prices, except for the revised unit prices for some select bid items and the new quantities and unit prices necessary to complete the proposed improvements and the mutually agreed upon Inspector Days consisting of 180 days, in an amount not to exceed \$4,233,939.70, based on the Engineering Division's estimate of units involved, and subject to a final payment based upon the actual units completed in accordance with the unit prices accepted herein; FURTHER, the Council does hereby authorize a budget transfer of funds in the amount of \$150,000.00 from funds budgeted in Account No. 204-463-974-200 (Non-Motorized Paths) for the 2024 Asphalt Road Paving Program (Contract 24-A) to Account No. 204-463-818-112 (Rehabilitation) for this purpose; FURTHER, the Council does hereby authorize an expenditure in an amount not to exceed \$4,233,939.70 for the 2024 Asphalt Road Repair Program from the following accounts:

Account Number 204-463-818-110 (Reconstruction) \$874,900.00

Account Number 204-463-818-112 (Rehabilitation) \$3,359,039.70

and the City Engineer is hereby authorized to approve minor adjustments in the work as it becomes necessary but this authorization does not entitle the City Engineer to authorize any increase in the not to exceed amount or to contract with other parties; and the Mayor and City Clerk are hereby authorized to execute a contract, approved as to form and substance by the Department of Law, for and on behalf of the City of Livonia with

Nagle Paving Company and to do all other things necessary or incidental to the full performance of this resolution; FURTHER, the Council does hereby authorize such action without competitive bidding for the reasons indicated in the aforesaid communication, and such action is taken in accordance with Section 3.04.140.E.4 of the Livonia Code of Ordinances, as amended.

Councilmember Donovic recused himself at 7:44 p.m. to avoid a conflict of interest.

On a motion by Councilmember Jolly, supported by Vice President Ptashnik and unanimously adopted, it was:

#127-24 RESOLVED, that having considered a communication from the Department of Law, dated March 18, 2024, approved for submission by the Mayor, transmitting for Council acceptance of a Quit Claim Deed from Robert Donovic, Owner of Gjonaj Development, LLC, as part of the lot split and combination of Parcel No. 46-001-99-0013-000 (20515 Angling Road), Parcel No. 46-001-99-0014-000 (20513 Angling Road) and Parcel No. 46-001-99-0015-000 (20511 Angling Road), more particularly described as:

Description of Quit Claim, Angling Road Right-of-Way

That part of the Northeast $\frac{1}{4}$ of Section 1, Town 1 South, Range 9 East, described as: commencing at the North $\frac{1}{4}$ corner of said Section 1, running thence S 00°09'00" E along the North and South $\frac{1}{4}$ line of said Section 60.00 feet; thence N 89°59'31" E 320.75 feet; thence S 01°58'18" W 99.31 feet to the Point of Beginning; thence N 89°51'21" E 33.02 feet to the centerline of Angling Road; thence S 01°58'18" W 60.00 feet along said centerline; thence S 89°51'21" W 33.02 feet; thence N 01°58'18" E 60.00 feet to the Point of Beginning.

the Council does hereby, for and on behalf of the City of Livonia, accept the aforesaid Quit Claim Deed conveying the above-described property to the City of Livonia, and the City Clerk is hereby requested to have the same recorded in the office of the Register of Deeds and to do all other things necessary or incidental to fulfill the purpose of this resolution.

Christopher Martin, resident, verified there will be no cost to the residents of Livonia for this matter.

Todd Zilincik, City Engineer, explained the reason for the Right-of-Way being granted to the City.

On a motion by Councilmember Morgan, supported by Councilmember Jolly and unanimously adopted, it was:

#128-24 RESOLVED, that having considered a communication from the Department of Law, dated March 18, 2024, approved for submission by the Mayor, transmitting for Council acceptance of a Quit Claim Deed from Robert Donovic, Owner of GJONAJ Development, LLC, as part of the lot split and combination of Parcel No. 46-001-99-0013-000 (20515 Angling Road), Parcel No. 46-001-99-0014-000 (20513 Angling Road) and Parcel No. 46-001-99-0015-000 (20511 Angling Road), more particularly described as:

Description of Quit Claim, Angling Road Right-of-Way

That part of the Northeast ¼ of Section 1, Town 1 South, Range 9 East, described as: Commencing at the North ¼ corner of said Section 1, running thence S 00°09'00" E along the North and South ¼ line of said Section 60.00 feet; thence N 89°59'31" E 320.75 feet; thence S 01°58'18" W 219.31 feet to the Point of Beginning; thence N 89°51'21" E 33.02 feet to the centerline of Angling Road; thence S 01°58'18" W 60.00 feet along said centerline; thence S 89°51'21" W 33.02 feet; thence N 01°58'18" E 60.00 feet to the Point of Beginning.

the council does hereby, for and on behalf of the City of Livonia, accept the aforesaid Quit Claim Deed, and the Mayor and City Clerk are hereby authorized to execute the Quit Claim Deed conveying the above-described property to the City of Livonia, and the City Clerk is hereby requested to have the same recorded in the office of the Register of Deeds and to do all other things necessary or incidental to fulfill the purpose of this resolution.

On a motion by Councilmember Morgan, supported by Councilmember Jolly and unanimously adopted, it was:

#129-24 RESOLVED, that having considered a communication from the Department of Law, dated March 18, 2024, approved for submission by the Mayor, transmitting for Council acceptance of a Quit Claim Deed from Robert Donovic, Owner of Gjonaj Development, LLC, as part of the lot split and combination of Parcel No. 46-001-99-0013-000 (20515 Angling Road), Parcel No. 46-001-

99-0014-000 (20513 Angling Road) and Parcel No. 46-001-99-0015-000 (20511 Angling Road), more particularly described as:

Description of Quit Claim, Angling Road Right-of-Way

That part of the Northeast $\frac{1}{4}$ of Section 1, Town 1 South, Range 9 East, described as: Commencing at the North $\frac{1}{4}$ corner of said Section 1, running thence S 00°09'00" E along the North and South $\frac{1}{4}$ line of said Section 60.00 feet; thence N 89°59'31" E 320.75 feet; thence S 01°58'18" W 219.31 feet to the Point of Beginning; thence N 89°51'21" E 33.02 feet to the centerline of Angling Road; thence S 01°58'18" W 60.00 feet along said centerline; thence S 89°51'21" W 33.02 feet; thence N 01°58'18" E 60.00 feet to the Point of Beginning.

the Council does hereby, for and on behalf of the City of Livonia, accept the aforesaid Quit Claim Deed, and the Mayor and City Clerk are hereby authorized to execute the Quit Claim Deed conveying the above-described property to the City of Livonia, and the City Clerk is hereby requested to have the same recorded in the office of the Register of Deeds and to do all other things necessary or incidental to fulfill the purpose of this resolution.

On a motion by Councilmember Morgan, supported by Councilmember Jolly and unanimously adopted, it was:

#130-24 RESOLVED, that having considered a communication from the Department of Law, dated March 18, 2024, approved for submission by the Mayor, transmitting for Council acceptance of a Quit Claim Deed from Robert Donovic, Owner of Gjonaj Development, LLC, as part of the lot split and combination of Parcel No. 46-001-99-0013-000 (20515 Angling Road), Parcel No. 46-001-99-0014-000 (20513 Angling Road) and Parcel No. 46-001-99-0015-000 (20511 Angling Road), more particularly described as:

Description of Quit Claim, Angling Road Right-of-Way

That part of the Northeast $\frac{1}{4}$ of Section 1, Town 1 South, Range 9 East, described as: commencing at the North $\frac{1}{4}$ corner of said Section 1, running thence S 00°09'00" E along the North and South $\frac{1}{4}$ line of said Section 60.00 feet; thence N 89°59'31" E 320.75 feet to the Point of Beginning; thence N 89°59'31" E 33.02 feet to the centerline of Angling Road; thence S 01°58'18" W 99.23 feet along

said centerline; thence S 89°51'21" W 33.02 feet; thence N 01°58'18" E 99.31 feet to the Point of Beginning.

the Council does hereby, for and on behalf of the City of Livonia, accept the aforesaid Quit Claim Deed, and the Mayor and city Clerk are hereby authorized to execute the Quit Claim Deed conveying the above-described property to the City of Livonia, and the City Clerk is hereby requested to have the same recorded in the office of the Register of Deeds and to do all other things necessary or incidental to fulfill the purpose of this resolution.

Councilmember Donovic resumed his chair at 7:52 p.m.

On a motion by Councilmember Morgan, supported by Councilmember Jolly and unanimously adopted, it was:

#131-24 RESOLVED, that having considered a communication from the Department of Law, dated March 21, 2024, which bears the signature of the Director of Finance, and is approved for submission by the Mayor, the Council does hereby authorize the Department of Law to resolve the MMRMA claims for damages as a result of the sewer backflow event on Fairway Street on December 17, 2023, in accordance with the aforesaid communication, in an amount not to exceed \$61,626.83; and the Department of Law is hereby authorized to do all things necessary or incidental to the full performance of this resolution.

The following residents voiced concerns about regular maintenance of the sewer lines on Fairway and their disappointment in the settlement amount.

Amanda Washko, 14872 Fairway
Joe Teague, 14848 Fairway
Donna Walker, 14884 Fairway
Paul Brown, 14860 Fairway
Ronald Lee Walker Jr, 14906 Fairway

There was no Audience Communication at the end of the meeting.

On a motion by Councilmember Budzinski, supported by Councilmember Jolly and unanimously adopted, it was:

#132-24 RESOLVED, that upon the motion by Councilmember Carrie Budzinski, seconded by Councilmember Jim Jolly, at the

Regular Meeting held April 1, 2024, the Council does hereby refer the subject matter of the City's sewer maintenance to the capital outlay and infrastructure committee for its report and recommendation.

On a motion by Councilmember Jolly, supported by Vice President Ptashnik and unanimously adopted, this 1,990th Regular Meeting of the Council of the City of Livonia was adjourned at 8:08 p.m.

Lori L. Miller, City Clerk